

Motion DENIED.

This the 23rd day of December, 2015.

/s/Louise W. Flanagan, U.S. District Judge

FILED

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JULIE RICHARDS JOHNSTON, CLERK
U.S. DISTRICT COURT, EDNC
BY SLT DEP. CLK

Dear, Honorable Judge Flanagan

I thank you for your past and present responds to my letters. Your honor enclosed with this letter are copies of the old and new Crack Cocaine base of offense level. I have underline the offense level and guideline range for sentencing to a quantity of Cocaine base of 280g, in which, I plead guilty to. The offense level is 32, with a Criminal History VI. With the two point reduction for accepting responsibility bring the offense level 30.

As you may recall at the evidentiary hearing Mr. Kelly Green, at the time stated on record, the Government will not use an enhancement. With that being the case, the offense level 40, would be a miscalculation on a drug quantity of 280g.

I bring this to your attention with the hope of reconsideration for reason explain above. Your honor, with the right offense level for the drug quantity, I plead guilty to, I would most likely qualify for a two point reduction moving me from offense level 30, to 28.

The offense level 40, can not be used for a Crack Cocaine quantity of 280g.